

**MINUTES**  
**HUNTINGTON BEACH OFFICE OF THE ZONING ADMINISTRATOR**  
**Room B-8 - Civic Center**  
**2000 Main Street**  
**Huntington Beach California**

**WEDNESDAY, NOVEMBER 16, 2005 - 1:30 P.M.**

**ZONING ADMINISTRATOR:** Mary Beth Broeren

**STAFF MEMBER:** Rami Talleh, Ron Santos, Kathy Schooley (recording secretary)

**MINUTES:** **NONE**

**ORAL COMMUNICATION:** **NONE**

**ITEM 1: COASTAL DEVELOPMENT PERMIT NO. 05-18 (REED RESIDENCE)**

APPLICANT/  
PROPERTY OWNER: Robert Reed, 7573 Slater Avenue, Suite J, Huntington Beach, CA 92647

REQUEST: To permit the partial reconstruction and expansion of an existing two-story single-family home to approximately 4,641 sq. ft. in size, with an overall building height of 30'-0. The request includes a review and analysis for compliance with the Infill Lot Ordinance. The Infill Lot Ordinance encourages adjacent property owners to review proposed development for compatibility/privacy issues, such as window alignments, building pad height, and floor plan layout.

LOCATION: 16255 Tisbury Circle (south side of Tisbury Circle, west of Mistral Drive)

PROJECT PLANNER: Rami Talleh

Rami Talleh, Staff Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing uses of the requested project. Staff presented an overview of the proposed project and the suggested findings and conditions of approval as outlined in the executive summary. Staff further identified suggested modifications to the project plans concerning the block wall and setbacks. Staff advised that the three-car garage is not a code requirement.

Staff stated that some inquiries were received from the public at the Zoning counter but that no specific concerns were presented. No other written or verbal comments were received in response to the public notification.

Mary Beth Broeren, Zoning Administrator, reviewed the project plans and a general discussion ensued concerning revisions to the project plans.

**THE PUBLIC HEARING WAS OPENED.**

Robert Reed, 7573 Slater Avenue, Suite J, applicant, spoke on behalf of the proposed project addressing setback and garage requirements. Mr. Reed expressed a willingness to work with staff concerning the suggested modifications to the project plans.

Ms. Broeren clarified with staff that the proposed project includes a second floor and not a third floor.

Ms. Broeren engaged in discussions with staff concerning the three-car garage proposed at minimum code dimensions and setback issues. Discussion ensued with the applicant concerning the intent of the three-car garage and potential use thereof for electric cart storage.

**THERE WERE NO OTHER PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.**

Ms. Broeren stated that she was going to approve the request and asked staff to delete Suggested Condition of Approval No. 1.d as follows:

- ~~d. The proposed three-car garage shall provide minimum interior dimensions of 27 ft. wide by 19 ft. deep.~~

**COASTAL DEVELOPMENT PERMIT NO. 05-18 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND MODIFIED CONDITIONS OF APPROVAL. THE ZONING ADMINISTRATOR STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR CAN BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) WORKING DAYS.**

**FINDINGS FOR PROJECTS EXEMPT FROM CEQA:**

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15303 of the CEQA Guidelines, because the project consists of an addition greater than 50% to existing single-family home.

**FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 05-18:**

1. Coastal Development Permit No. 05-18 for the partial reconstruction and expansion of an existing two-story single-family home to approximately 4,641 sq. ft. in size, with an overall building height of 30'-0', as conditioned, conforms with the General Plan, including the Local Coastal Program land use designation of Residential Low-Density. The project is consistent with Coastal Element Land Use Policy C 1.1.1 to encourage development within, contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed construction will occur on a previously developed site, contiguous to existing residential development.
2. The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code. The project, as

conditioned, complies with all applicable development regulations, including maximum building height, minimum yard setbacks, and minimum on-site parking.

3. At the time of occupancy the proposed development can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. The proposed addition will be constructed on a previously developed site in an urbanized area with all necessary services and infrastructure available, including water, sewer and roads.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The project will not impede public access or impact public views to coastal resources.

#### **CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 05-18:**

1. The site plan, floor plans, and elevations received and dated October 25, 2005, shall be the conceptually approved design with the following modifications:
  - a. The six ft. high block wall proposed within the 15 ft. front yard setback shall be relocated and setback a minimum of 15 ft. from the front property line. The existing six ft. high block wall located within the 15 ft. front yard setback may remain in its existing location.
  - b. The second floor shall be redesigned to comply with the minimum required 15 ft. front yard setback.
  - c. The second floor balcony located at the front of the property shall be redesigned to comply with the minimum required 12 ft. front yard setback.
  - d. The proposed block walls and existing block walls within the 15 ft. front yard setback shall be correctly identify on the site plan.
  - e. The existing cantilevered deck shall be depicted on the site plan and provided with a note that states: "Modifications to the cantilevered deck shall require separate permits."
  - f. Front yard setback dimensions as measured from the shortest distance between the front property line and second floor and second floor balcony shall be depicted on the site plan.

#### **INDEMNIFICATION AND HOLD HARMLESS CONDITION:**

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

**ITEM 2: ENTITLEMENT PLAN AMENDMENT NO. 05-02 (AMENDMENT TO USE PERMIT NO 69-40 – CASA DEL SOL DRIVEWAY/PARKING LOT EXPANSION)**

APPLICANT: Eana Yeh, 3366 Via Lido, Newport Beach, CA 92663  
PROPERTY OWNER: Richard Battaglia, 3366 Via Lido, Newport Beach, CA 92663  
REQUEST: To permit modifications to a previously approved site plan to permit a third driveway entrance and the expansion of a visitor parking lot along Brookhurst Street, serving an existing 448 unit apartment complex.  
LOCATION: 21661 Brookhurst Street (west side of Brookhurst Street, and south of Hamilton Avenue)  
PROJECT PLANNER: Rami Talleh

Rami Talleh, Staff Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing uses of the requested project. Staff presented an overview of the proposed project and the suggested findings and conditions of approval as outlined in the executive summary.

Staff stated concerns related to the original project plans dated June 21, 2005 and presented reasons thereof for the modifications in the Suggested Conditions of Approval. Staff's concerns were related to the proposed driveway, parking lot expansion, loss of trees, loss of greenbelt, and the third driveway.

Staff suggested alternative plans aimed at resolving the aforementioned concerns that included alternatives presented by the applicant.

Mary Beth Broeren, Zoning Administrator, asked staff if any comments were received from the public. Staff stated that several residents made inquiries into the request. No other written or verbal comments were received in response to the public notification.

Staff suggested modification to Suggested Finding for Approval No. 1 as follows: A 20 15 to 30 ft. wide landscaped planter will adequately buffer the nearest residences from the parking lot.

Staff further suggested modification to the Suggested Conditions of Approval by adding a new condition to include a two-foot overhang of landscaping between the parking spaces and the required landscape area.

**THE PUBLIC HEARING WAS OPENED.**

Eana Yeh, 7735 Westwood, Los Angeles, applicant, spoke on behalf of the proposed project addressing the concerns as presented by staff.

Cheryl Davidson, 21661 Brookhurst Street, voiced concerns related to the safety to the residents and presented photographs of accidents that occurred at the proposed site.

Ron Schenkelberg, 21661 Brookhurst Street, #353, spoke in support of a third-driveway entrance.

Gary Tucker, 21661 Brookhurst Street, property manager, voiced concerns related to the potential liability under the existing conditions.

**THERE WERE NO OTHER PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.**

Ms. Broeren and staff engaged in discussion concerning opposition by the Department of Public Works (PW) to the proposed third entrance. Ms. Broeren stated that she could not overrule the recommendation of a professional from the PW engineering staff.

Discussions ensued with the applicant concerning reasons for proposed additional parking spaces, the proposed third entrance and alternatives thereof. Staff advised that several discussions have occurred with PW and that the applicant has been encouraged to pursue alternatives.

Ms. Broeren stated that creating a third entrance does not solve the existing problems. She stated that she would not be approving the request as submitted and stated a willingness to approve Option 3 or 4 as presented by staff during the course of today's meeting.

Ms. Broeren stated that she was going to continue the request to the November 30, 2005 meeting and the applicant agreed

**ENTITLEMENT PLAN AMENDMENT NO. 05-02 WAS CONTINUED TO THE NOVEMBER 30, 2005 MEETING WITH THE PUBLIC HEARING OPEN.**

**ITEM 3: COASTAL DEVELOPMENT PERMIT NO. 05-19 (SORELY ADDITION)**

**APPLICANT/**

**PROPERTY OWNER:** Gary Sorely, 17022 Bolero Lane, Huntington Beach, CA 92649  
**REQUEST:** To permit the construction of a 2,050 sq. ft. second-floor addition with an overall building height of 29'-6" to an existing single-story, single-family home.

**LOCATION:** 17022 Bolero Lane (east side of Bolero Lane, north of Sirius Drive)

**PROJECT PLANNER:** Rami Talleh

Rami Talleh, Staff Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing uses of the requested project. Staff stated action was taken by the Zoning Administrator for this request under Conditional Use Permit 05-24 on October 13, 2005, and that during the plan check process, the subject Coastal Development Permit No.05-19 was filed.

Staff presented an overview of the proposed project and recommended approval of the request based upon the suggested findings and conditions of approval as outlined in the executive summary. No written or verbal comments were received in response to the public notification.

**THE PUBLIC HEARING WAS OPENED.**

Gary Sorely, 17022 Bolero Lane, applicant was present to answer questions.

**THERE WERE NO OTHER PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.**

**COASTAL DEVELOPMENT PERMIT NO. 05-19 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. THE ZONING ADMINISTRATOR STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR CAN BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) WORKING DAYS.**

**FINDINGS FOR PROJECTS EXEMPT FROM CEQA:**

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15303 of the CEQA Guidelines, because the project consists of an addition greater than 50% to existing single-family home.

**FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 05-19:**

1. Coastal Development Permit No. 05-19 for the construction of a 2,050 sq. ft. second-floor addition with an overall building height of 29'-6" to an existing single-story, single-family home, as proposed, conforms with the General Plan, including the Local Coastal Program land use designation of Residential Low-Density. The project is consistent with Coastal Element Land Use Policy C 1.1.1 to encourage development within, contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed construction will occur on a previously developed site, contiguous to existing residential development.
2. The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code. The project, as proposed, complies with all applicable development regulations, including maximum building height, minimum yard setbacks, and minimum on-site parking.
3. At the time of occupancy the proposed development can be provided with infrastructure in a manner that is consistent with the Local Coastal Program.
4. At the time of occupancy the proposed development can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. The proposed addition will be constructed on a previously developed site in an urbanized area with all necessary services and infrastructure available, including water, sewer and roads.

5. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The project will not impede public access or impact public views to coastal resources.

**CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 05-19:**

The site plan, floor plans, and elevations received and dated August 16, 2005 shall be the conceptually approved design.

**INDEMNIFICATION AND HOLD HARMLESS CONDITION:**

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

**THE MEETING WAS ADJOURNED AT 2:15 PM BY THE ZONING ADMINISTRATOR TO THE NEXT REGULARLY SCHEDULED MEETING OF THE ZONING ADMINISTRATOR ON WEDNESDAY, NOVEMBER 23, 2005 AT 1:30 PM.**

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Mary Beth Broeren  
Zoning Administrator

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